

## **Remarks/Arguments**

This Amendment is filed in response to the Office Action dated May 5, 2006 regarding the above-identified U.S. Patent Application, and specifically is now presented to create a Request for Continued Examination (RCE) Patent Application.

In the May 5, 2006 Action, the Examiner rejected claims 2, 5 and 6, the only claims then pending in this application, under 35 U.S.C. § 103 on the basis of a proposed combination of five (5) prior art references, including U.S. Patent No. 5,271,203 to Nagle, U.S. Patent No. 3,225,501 to McCaron, U.S. Patent No. 1,568,777 to Smith, U.S. Patent No. 6,663,322 B1 to Listle, and U.S. Patent No. 5,946,867 to Snider, Jr. et al.

Applicant has reviewed carefully the Examiner's comments, as well as the cited and applied prior art, along with the disclosure content of the present patent application, and by this Amendment, proposes certain changes in this case which are believed now to place all claims presented in the case in conditions for allowance.

Fundamentally what is clearly lacking from any direct teaching or suggestion in the prior art is the presence of an organization wherein the base of a column is received in a receiving bucket-well structure which is filled with a suitable, flowable substance, such as a grout or concrete substance, with the base of the column, in its wall, including at least one open through-passage which is fully perimetered in and of itself, and through which such flow material flows before curing to establish a bridging connection between flow material located on the inside and that located on the outside of the received column wall. A very significant consequence of this arrangement, as has been pointed out during the previous prosecution history of this case, is that a

resulting, through-wall, bridging anchoring portion of the mentioned flow material, when that material has cured, enhances the stability of the supported column by defining a positive mechanical lock against vertical retraction of the column out of its bucket-well-supported condition. This vertical lock results, very evidently, from the vertical interengagement which exists between the lower perimeter of the column base through-wall passage, and the lower perimeter of that cured flow material which creates the continuum bridge through that passage.

Absolutely nothing like this exists in any manner in any of the disclosures or suggestions of any one or combination of the prior art references. For example, in the Listle patent, there is no through-wall passage whatsoever in any of the tubular shafts designated 22 in this patent. The same statement is true with respect to every other one of the cited and applied prior art references.

With respect to the Snider, Jr. et al. reference, it is important to note that the lack of a through-wall passage, like that now clearly claimed by applicant, is very evident. The Snider, Jr. et al reference shows support columns 30 which are made up of back-to-back, elongate elements referred to as "main bars" which are described and illustrated as being U-shaped channel members that each have an elongate slot extending along one of its sides. Such a slot is not in any sense the same as, or in any manner equivalent to, applicant's claimed through-wall passage *which is a fully perimetered passage*, and thus capable of establishing a vertical interference lock with poured and cured flow material which functions to anchor the base of an upright element within a bucket-well structure.

No reference discloses or suggests applicant's claimed vertical abutment locking

engagement structure. Neither does any combination of references suggest such a structure.

Thus, there is nothing in the art that shows or suggests the establishment, through interengagement between a column-wall through-passage and a bridging portion of anchoring flow material, of a vertical abutment interengagement which is capable of producing the kind of vertical interference lock against vertical retraction from a bucket-well of an upright member, such as a column member as claimed by applicant.

In order to bring out, perhaps more clearly, this important distinguishing feature of applicant's invention, and doing this through making specific reference to what is clearly shown in Figs. 2, 3 and 5 in the instant patent application, a new explanatory paragraph (but no new matter) has been added on page 11 in the specification to describe more fully that which is illustrated in these three figures -- and specifically that which is illustrated with respect to the interaction between a continuum bridging portion of grout material which extends through through-wall passage 12b, and a part of that passage *per se*, to create the vertical anti-retraction lock which is featured by applicant's invention.

Accordingly, and with entry of the present Amendment wherein claims 1, 3 and 4 remain as claims cancelled without prejudice, claim 2 remains as a previously presented claim, and claim 5 and 6 are now presented as currently amended claims, all of these claims, which embody the important structural distinction of applicant's invention discussed above, are fully distinguishable over anything shown or suggested by the cited and applied prior art references, and are therefore patentable. For this reason, favorable reconsideration of this application, and allowance of all claims therein, are respectfully solicited. If the Examiner has any questions

regarding the amendment or remarks, the Examiner is invited to contact Attorney-of-Record Jon M. Dickinson, Esq., at 503-504-2271.

**Provisional Request for Extension of time in Which to Respond**

Should this response be deemed to be untimely, Applicants hereby request an extension of time under 37 C.F.R. § 1.136. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any over-payment to Account No. 22-0258.

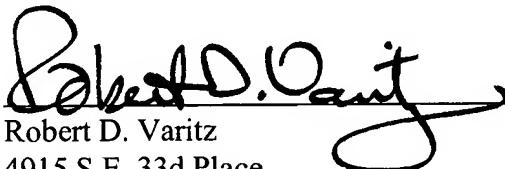
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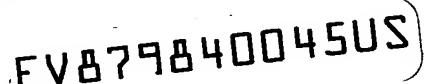
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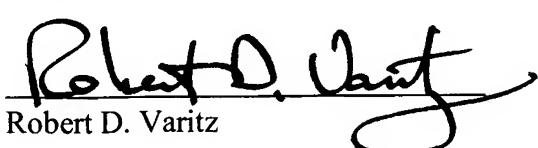
  
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**CERTIFICATE OF EXPRESS MAILING**

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I hereby certify that the attached PRELIMINARY AMENDMENT IN SUPPORT OF RCE UNDER 37 C.F.R. § 1.114 and a PTO-2038 credit card authorization form in the amount of \$395.00 are being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 C.F.R. 1.10 on the date indicated above and is addressed to:

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